



HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Cheryl Fisher Date: May 14, 2003  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

In Re Patent Application of: :  
HARUO KODAMA, ET AL. :  
: Conf. No.: 2837 : Group Art Unit: 3745 : TECHNOLOGY CENTER R3700  
: Appln. No.: 09/652,090 : Examiner: F. D. Lopez :  
: Filing Date: August 31, 2000 : Attorney Docket No.: 9369-51US :  
: : (T37-124467M/TH)  
Title: HYDRAULIC DRIVE APPARATUS

MAY 22 2003

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE**  
**BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeals to the Board of Patent Appeals and Interferences from the Decision dated November 15, 2002, of the Primary Examiner finally rejecting claims 1-5.

The item(s) checked below are appropriate:

A Petition for Extension of Time with extension fee for @ month(s) to @ to respond to the final rejection was filed on @.

A Petition for Extension of Time for 3 month(s) to file the Notice of Appeal and the requisite extension fee in the amount of **\$820.00** are enclosed, the three-month extension of time fee of \$930.00 being reduced by \$110.00 previously paid with a Petition filed on March 14, 2003 for a one-month extension of time.

Notice of Appeal fee is enclosed (if applicable)

\$160.00 - Small Entity has been previously established in this case.  
 \$320.00.

Not required (fee paid in prior appeal).

An oral hearing before the Board of Appeals is respectfully requested. Requisite fee is enclosed.

\$140.00 - Small Entity has been previously established in this case.

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[ ] \$280.00.

[X] Our firm's check in the amount of **\$1,140.00** is enclosed.

[X] The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 209369.0051) for any overpayments or deficiencies in the above-calculated fee. A duplicate copy of this notice is enclosed.

Respectfully submitted,

Haruo KODAMA, *et al.*

May 14, 2003  
(Date)

By:   
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